IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

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AMANDA F. KINDER,)		
Plaintiff,) Case No. 2:08CV00038		
v.) JUDGMENT		
COMMISSIONER OF SOCIAL SECURITY,) By: James P. Jones) Chief United States District Judge		
Defendant.)		

It appearing that no objections have been timely filed to the Report filed April 28, 2009, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

- 1. The Report and its findings and recommendations are wholly ACCEPTED and APPROVED;
 - 2. The motions for summary judgment by the parties are DENIED;
- 3. The final decision of the Commissioner of Social Security is VACATED and this action is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration in accord with the Report; and
 - 4. The clerk will close this case.

ENTER: May 22, 2009

Chief/United States/District Judge